

## **REMARKS**

### **A. Status of the Claims**

Claims 40-68 were pending at the time the Office Action was issued. Claim 40 has been cancelled and claims 41-54 and 56-68 have been amended. Therefore, claims 41-68 are currently pending and under consideration.

Claims 40-42, 45-50 and 53-68 have been rejected. Claims 43-44 and 51-52 have been objected to as being dependent upon a base claim, but allowable if rewritten in independent form. Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claims 43-44 and 51-52.

### **B. Drawings**

The Examiner requests that Applicants furnish a drawing under 37 CFR 1.81(c). Applicants note that the current application is a U.S. national stage application filed under 35 U.S.C. 371. The certified copy of the foreign priority application filed with the USPTO on April 29, 2005 includes four figures. No translation is needed for the drawings included in the foreign priority application. Therefore, Applicants believe that the original drawings satisfy the requirement under 37 C.F.R. 1.81(c). Applicants have included copies of the drawings submitted on April 29, 2005 with this transmittal. As requested by the Examiner, Applicants have labeled each page of the drawings as a "Replacement Sheet", but note that the drawings are identical to those submitted on April 29, 2005. Therefore, no new matter has been introduced in the attached drawings.

**C. Claim Rejections based on 35 U.S.C. § 103**

Claims 40, 45-50 and 53-68 have been rejected under 35 U.S.C. §103(a) as being unpatentable over WO 99/51977 to Gauss et al (“Gauss”). Claims 41-42 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gauss in view of U.S. 6,103,518 to Leighton (“Leighton”). Applicants respectfully traverse the rejections. However, in the interest of obtaining a timely Notice of Allowance, Applicants have cancelled claim 40 and amended claims 41-54 and 56-68. Applicants reserve the right to claim the subject matter of claim 40 and claims 41-54 and 56-68 prior to this amendment in one or more continuing applications.

**D. Allowable Subject Matter**

Applicants gratefully acknowledge the Examiner’s indication that claims 43-44 and 51-52 would be allowable if rewritten in independent form. Claims 43-44 and 51-52 have been amended to include the limitations of claim 40, from which each of the claims directly depended prior to this amendment. As a result, claims 43-44 and 51-52 are now in allowable form, and Applicants respectfully request a timely Notice of Allowance be issued for the claims.

In addition, dependent claims 41-42, 45-50, 53-54, 56-65 and 67-68 have been amended to depend from claims 43 or 44. Because claims 43 and 44 are now in allowable form, dependent claims 41-42, 45-50, 53-54, 56-65 and 67-68 are also now allowable. Dependent claim 55 was previously amended to depend from claim 54, and is therefore also allowable. Dependent claim 66 has been amended to depend from claim 65, and is therefore also allowable.

**E. Conclusion**

Applicants believe this paper to be a full and complete response to the non-Final Office Action dated August 6, 2008. Applicants respectfully request favorable consideration of this case in view of the above comments and amendments.

Should the Examiner have any questions, comments, or suggestions relating to this case, the Examiner is invited to contact the undersigned Applicants' representative at (512) 536-3072.

Respectfully submitted,



Christopher W. Spence  
Reg. No. 58,806  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512.536.3072 (voice) 512.536.4598 (fax)

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